

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
) Criminal No. 05-24 Erie
)
BARRY WAYNE LEWIS)

MOTION TO EXPEDITE COMPETENCY EVALUATION

NOW COMES the defendant, Barry Wayne Lewis, by his attorney Assistant Federal Public Defender Thomas W. Patton, and files this Motion to Expedite Competency Evaluation. In support thereof counsel states as follows:

1. On January 19, 2006, this Court entered an order pursuant to 18 U.S.C. §§ 4241(b), 4247(b) and (c) directing Mr. Lewis to be committed to the custody of the Attorney General for a psychiatric or psychological examination to determine Mr. Lewis' competency.
2. As of 11:30 a.m., today, March 15, 2006, Mr. Lewis is still at the Erie County Prison awaiting a transfer to a Bureau of Prisons facility at which the psychiatric or psychological examination can be performed.
3. Mr. Lewis is severely mentally ill, is not receiving medication, and is displaying bizarre behavior.
4. Mr. Lewis respectfully requests that this Honorable Court enter an order directing the United States Marshals Service to expedite Mr. Lewis' transfer to a suitable Bureau of Prisons facility for his psychiatric or psychological evaluation.

WHEREFORE, defendant, Barry Wayne Lewis, respectfully requests that this Honorable Court enter an order directing the United States Marshals Service to expedite Mr. Lewis' transfer to a suitable Bureau of Prisons facility for the psychiatric or psychological examination order by this Court.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

P.A. I.D. No. 88653